

**REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 10, 15, 17, 26, 34, and 41 are amended. New claims 47 and 48 are added. Claims 1-48 are pending in this application.

**35 U.S.C. § 112**

Claims 1 and 29 stand rejected under 35 U.S.C. §112, second paragraph.

With respect to claim 1, claim 1 has been amended, and Applicant respectfully submits that amended claim 1 complies with 35 U.S.C. §112, second paragraph.

With respect to claim 29, in the May 7 Office Action it was asserted that the language "customizing of the one program is performed by the one program" of claim 29 is vague and unclear. Applicant respectfully disagrees with this assertion. This language of claim 29 clearly recites that the customizing of one of the plurality of programs is performed by the one program itself. In other words, the program customizes itself. As an example, as discussed in the Specification at page 7, lines 13-21, the setup application which integrates the information from the BOM into the operating system may be part of the operating system itself. Thus, Applicant respectfully submits that claim 29 complies with 35 U.S.C. §112, second paragraph

Thus, for at least these reasons, Applicant respectfully submits that claims 1 and 29 comply with 35 U.S.C. §112, second paragraph.

Applicant respectfully requests that the §112 rejections be withdrawn.

**35 U.S.C. § 102**

Claims 1-7 and 11-46 stand rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,262,726 to Stedman et al. (hereinafter "Stedman"). Applicant respectfully submits that claims 1-7 and 11-46 are not anticipated by Stedman.

Stedman is directed to factory installing desktop components for an active desktop (see, Title). In Stedman, an installation program is executed and reads desktop component information which includes one or more graphical images associated with the desktop components (see, col. 5, lines 26-32). The installation program then modifies the desktop layout used by the operating system to display a new desktop layout to the end user (see, col. 5, lines 32-35).

In contrast, amended claim 1 is directed to a method comprising:

receiving information about a prospective user of an operating system, wherein the information includes user preferences for multiple different pieces of hardware of the computer; and  
developing the operating system image, pre-populated with the information, to be installed on the computer.

Applicant respectfully submits that Stedman does not disclose or suggest the method of amended claim 1.

As discussed above, Stedman is directed to modifying the desktop layout used by the operating system. Applicant respectfully submits that modifying the desktop layout that is to be displayed to the user does not disclose or suggest developing an operating system image pre-populated with information that includes user preferences for multiple different pieces of hardware of the computer as recited in amended claim 1. Applicant respectfully submits that nothing in the altering of a desktop layout to be displayed to a user discloses or suggests user

preferences for multiple different pieces of hardware of the computer as recited in amended claim 1.

For at least these reasons, Applicant respectfully submits that amended claim 1 is allowable over Stedman.

With respect to claim 15, in the May 7 Office Action (page 5) it was asserted that:

Regarding **claim 15**, Stedman et al. disclose the method as recited in claim 14, wherein the identity component is accessible to other application programs to allow the other application programs to be customized based at least in part on the information (fig. 8).

Applicant respectfully disagrees with this assertion. Applicant respectfully submits that Fig. 8 of Stedman does not disclose or suggest an identity component that includes information about a prospective user of an operating system, the identity component being accessible to other application programs to allow the other application programs to be customized based at least in part on the information as recited in claim 15.

Applicant notes that Fig. 8 of Stedman does show "custom installation programs", however, these are programs that are invoked to customize the operating system for the end user (see, col. 8, lines 17-20). These custom installation programs of Stedman cannot be viewed as the "other application programs" as recited in claim 15 because these custom installation programs of Stedman are not customized -- rather, they customize the operating system. Furthermore, Applicant respectfully submits that no other programs illustrated in Fig. 8, or elsewhere in Stedman, disclose or suggest an identity component that includes information about a prospective user of an operating system, the identity component being accessible to other application programs to allow the other

application programs to be customized based at least in part on the information as recited in claim 15. Stedman, as discussed above, is directed to modifying the desktop layout used by the operating system, not to developing an operating system pre-populated with information about a prospective user and also allowing other applications to be customized based at least in part on the information as recited in claim 15.

For at least these reasons, Applicant respectfully submits that claim 15 is allowable over Stedman.

With respect to **claim 17**, Applicant respectfully submits that, similar to the discussion above regarding amended claim 1, Stedman does not disclose or suggest automatically customizing an operating system installed on the computer based at least in part on received information that includes user preferences for multiple different pieces of hardware of the computer as recited in claim 17. For at least these reasons, Applicant respectfully submits that amended claim 17 is allowable over Stedman.

With respect to **claim 26**, amended claim 26 is directed to a method comprising:

accessing a record of user information describing a user, the record being available to a plurality of programs, the record including both information describing the user and data describing hardware preferences of the user; and

customizing one of the plurality of programs based at least in part on the user information by integrating the information describing the user and the data describing hardware preferences of the user from the record into the one of the plurality of programs.

Applicant respectfully submits that Stedman does not disclose or suggest the method of amended claim 26.

As discussed above, Stedman is directed to modifying the desktop layout used by the operating system. It can be seen from Stedman that any "customization" in Stedman refers to the modification of the desktop layout displayed to the end user. In contrast, the method of amended claim 26 is directed to customizing a program (e.g., an operating system as recited in dependent claim 27) by integrating both the information describing the user and the data describing hardware preferences of the user into the program. Nothing in the modifying of a desktop layout discloses or suggests anything about integrating both the information describing the user and the data describing hardware preferences of the user into a program as recited in amended claim 26.

For at least these reasons, Applicant respectfully submits that amended claim 26 is allowable over Stedman.

With respect to **claim 34**, Applicant respectfully submits that, similar to the discussion above regarding amended claim 26, Stedman does not disclose or suggest automatically customizing an operating system installed on the computer based on the user information by integrating the information describing the user and the data describing hardware preferences of the user from the record into the operating system as recited in amended claim 34. For at least these reasons, Applicant respectfully submits that amended claim 34 is allowable over Stedman.

With respect to **claim 41**, Applicant respectfully submits that, similar to the discussion above regarding amended claim 1, Stedman does not disclose or suggest a system including a record that includes user preferences for multiple different pieces of hardware of the system as recited in claim 41. For at least these

reasons, Applicant respectfully submits that amended claim 41 is allowable over Stedman.

Given that claims 2-7, 11-14, and 16 depend from amended claim 1, claims 18-25 depend from amended claim 17, claims 27-33 depend from amended claim 26, claims 35-40 depend from amended claim 34, and claims 42-46 depend from amended claim 41, Applicant respectfully submits that claims 2-7, 11-14, 16, 18-25, 27-33, 35-40, and 42-46 are likewise allowable over their respective independent claims for at least the reasons discussed above.

Applicant respectfully requests that the §102 rejections be withdrawn.

### 35 U.S.C. § 103

Claims 8-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stedman in view of U.S. Patent No. 6,182,275 to Beelitz et al. (hereinafter "Beelitz"). Applicant respectfully submits that claims 8-10 are not obvious over Stedman in view of Beelitz.

Beelitz is directed to generation of a compatible order for a computer system, presenting the user with a list of options where every option is compatible or valid with a previously selected choice (see, Title and col. 3, lines 26-28). A list of options for a build-to-order computer system is displayed to a user (see, col. 4, lines 40-49). After the user makes a selection from the list, a second list of options is generated wherein each option of the second list is compatible with the previous selection (see, col. 4, lines 49-54). This second list is then displayed to the user to allow the user to select from a list of options that are compatible with the previous selection (see, col. 4, lines 54-58).

With respect to **claims 8 and 9**, claims 8 and 9 depend from amended claim 1, and Applicant respectfully submits that claims 8 and 9 are allowable over Stedman for at least the reasons discussed above with respect to claims 8 and 9. Applicant respectfully submits that Beelitz does not overcome, and is not cited as overcoming, the deficiencies of Stedman as discussed above with respect to amended claim 1. Thus, for at least these reasons, Applicant respectfully submits that claims 8 and 9 are allowable over Stedman in view of Beelitz.

With respect to **claim 10**, claim 10 is directed to a method comprising:

- receiving information about a prospective user of an operating system;
- developing an operating system image, pre-populated with the information, to be installed on a computer;
- wherein the receiving comprises obtaining the information from another computer used by a consumer to order the computer with the operating system; and
- wherein the obtaining comprises accessing a bill of materials corresponding to the other computer.

Applicant respectfully submits that Stedman in view of Beelitz does not disclose or suggest the method of amended claim 26.

In the method of claim 10, the information about the prospective user of an operating system that is used to pre-populate an operating system image on a computer is obtained by accessing a bill of materials corresponding to another computer used by a consumer to order the computer. The method of claim 10 thus allows, for example, a user to order a new computer and have the bill of materials from his or her old computer used as the bill of materials for the new computer.

Applicant respectfully submits that neither Stedman nor Beelitz discloses or suggests using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer

as recited in claim 10. Stedman, as discussed above, is directed to factory installing desktop components for an active desktop. Nowhere does Stedman discuss using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer as recited in claim 10.

Beelitz, on the other hand, is directed to presenting lists of options to the user when the user is ordering a computer, wherein each option of the second list is compatible with the previous selection. Nowhere does Beelitz discuss using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer as recited in claim 10. Applicant respectfully submits that merely presenting a list of options to the user does not disclose or suggest using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer as recited in claim 10.

Thus, given that neither Stedman nor Beelitz discloses or suggests using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer as recited in claim 10, Applicant respectfully submits that the combination of Stedman and Beelitz does not disclose or suggest using the bill of materials corresponding to one computer for the information used to pre-populate an operating system image for another computer as recited in claim 10.

For at least these reasons, Applicant respectfully submits that claim 10 is allowable over Stedman in view of Beelitz.

Applicant respectfully requests that the §103 rejections be withdrawn.



### **New Claims**

New claims 47 and 48 are added.

With respect to new claim 47, Applicant respectfully submits that the cited references do not disclose or suggest one or more computer-readable media having stored thereon a computer program that, when executed by one or more processors of a computer, causes the one or more processors to: obtain, over a network when the computer is initially booted, a record of user information describing a user; and automatically customize an operating system installed on the computer based on the obtained user information, as recited in new claim 47. For at least these reasons, Applicant respectfully submits that new claim 47 is allowable over the cited references.

With respect to new claim 48, new claim 48 depends from claim 47 and Applicant respectfully submits that new claim 48 is allowable over the cited references for at least the same reasons as claim 47. Furthermore, Applicant respectfully submits that the cited references do not disclose or suggest one or more computer-readable media as recited in claim 47, wherein the network comprises the Internet, as recited in new claim 48. For at least these reasons, Applicant respectfully submits that new claim 48 is allowable over the cited references.

### **Conclusion**

Claims 1-48 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this

case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date:

7/11/03

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**Version of Claims with Markings to Show Changes Made**

1. (Amended) A method comprising:

receiving information about a prospective user of an operating system,  
wherein the information includes user preferences for multiple different pieces of  
hardware of the computer; and

developing [an] the operating system image, pre-populated with the  
information, to be installed on [a] the computer.

10. (Amended) A method [as recited in claim 8,] comprising:

receiving information about a prospective user of an operating system;

developing an operating system image, pre-populated with the information,  
to be installed on a computer;

wherein the receiving comprises obtaining the information from another  
computer used by a consumer to order the computer with the operating system;  
and

wherein the obtaining comprises accessing a bill of materials corresponding  
to the other computer.

15. (Amended) A method [as recited in claim 14,] comprising:

receiving information about a prospective user of an operating system;

developing the operating system image, pre-populated with the information,  
to be installed on a computer;

wherein the operating system is organized as a plurality of components, and wherein one of the plurality of components is an identity component that includes the information; and

wherein the identity component is accessible to other application programs to allow the other application programs to be customized based at least in part on the information.

17. (Amended) A method comprising:

receiving information regarding an intended user of a computer, wherein the information includes user preferences for multiple different pieces of hardware of the computer; and

automatically customizing an operating system installed on [a] the computer based at least in part on the received information.

26. (Amended) A method comprising:

accessing a record of user information describing a user, the record being available to a plurality of programs, the record including both information describing the user and data describing hardware preferences of the user; and

customizing one of the plurality of programs based at least in part on the user information by integrating the information describing the user and the data describing hardware preferences of the user from the record into the one of the plurality of programs.

34. (Amended) One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors of a computer, causes the one or more processors to perform acts including:

accessing a record of user information describing a user, wherein the record includes both information describing the user and data describing hardware preferences of the user; and

automatically customizing an operating system installed on the computer based on the user information by integrating the information describing the user and the data describing hardware preferences of the user from the record into the operating system.

41. (Amended) A system comprising:

a plurality of programs;

a record of user information describing a user, wherein the record includes user preferences for multiple different pieces of hardware of the system; and

an interface communicatively coupled to at least one of the plurality of programs and the record of user information, wherein the interface is configured to receive information requests from the at least one program and obtain the requested information from the record of user information.